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FEDERAL REGISTER

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Washington, Thursday, May 7, 1936

PRESIDENT OF THE UNITED STATES.

EXECUTIVE ORDER

**TRANSFER OF PORTION OF CAMP EAGLE PASS, TEXAS, TO THE
TREASURY DEPARTMENT**

WHEREAS the act of July 26, 1935, 49 Stat. 503, authorized the disposition of the hereinafter-described portion of the Camp Eagle Pass Military Reservation, Texas, in accordance with and under the applicable provisions and conditions of the act of March 12, 1926, 44 Stat. 203; and

WHEREAS section 6 of the said act of March 12, 1926, provides that all or any part of the property to be disposed of may, with the approval of the President, be transferred to other departments of the Government requiring the permanent use thereof; and

WHEREAS the Secretary of the Treasury and the Secretary of War have requested that the hereinafter-described portion of the said military reservation be permanently transferred to the Treasury Department for the use of the Public Health Service:

NOW, THEREFORE, by virtue of and pursuant to the authority vested in me by the said act of July 26, 1935, and by section 6 of the said act of March 12, 1926, it is ordered that the following-described portion of the Camp Eagle Pass Military Reservation, located in the City of Eagle Pass, Maverick County, Texas, be, and it is hereby, transferred to the Treasury Department for the use of the Public Health Service:

Beginning at the point of intersection of the southerly line of Garrison Street with the easterly line of Commercial Street extended;

Thence from said initial point, by metes and bounds,

Easterly, 350 feet, along the said southerly line of Garrison Street, to a point;

Southerly, 150 feet, at right angles to said southerly line of Garrison Street, to a point;

Westerly, 350 feet, parallel to said southerly line of Garrison Street, to a point;

Northerly, 150 feet, at right angles to said southerly line of Garrison Street, to the point of beginning.

The above-described tract contains an area of 52,500 square feet and no survey thereof has been made or monuments established at its corners.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
May 4, 1936.

[No. 7356]

[Filed, May 5, 1936; 2:35 p. m.]

EXECUTIVE ORDER

**PARTIAL REVOCATION OF EXECUTIVE ORDER OF SEPTEMBER 23, 1912,
ENTITLED "MINERAL LAND WITHDRAWAL NO. 1, ARIZONA NO. 1"**

By virtue of and pursuant to the authority vested in me by the act of June 25, 1910, 36 Stat. 847, as amended by the act

of August 24, 1912, 37 Stat. 497, the Executive Order of September 23, 1912, entitled "Mineral Land Withdrawal No. 1, Arizona No. 1," withdrawing public lands in Arizona for classification and in aid of legislation, is hereby revoked in so far as it affects the lands described as Lots 1 to 14, inclusive, and NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 37, T. 23 S., R. 24 E., Gila and Salt River Meridian.

This order is made for the purpose of permitting title to all of the lands not otherwise reserved to vest, subject to valid existing claims, in the State of Arizona under the provisions of the act of July 22, 1854, 10 Stat. 308, the act of February 24, 1863, 12 Stat. 604, and the act of June 20, 1910, 36 Stat. 572.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
May 4, 1936.

[No. 7357]

[Filed, May 5, 1936; 2:35 p. m.]

EXECUTIVE ORDER

NICOLET NATIONAL FOREST

Wisconsin

By virtue of and pursuant to the authority vested in me by section 24 of the act of March 3, 1891, 26 Stat. 1095, 1103 (16 U. S. C. sec. 471), and the act of June 4, 1897, 30 Stat. 11, 34, 36 (16 U. S. C. sec. 473), and upon the recommendation of the Secretary of Agriculture, it is ordered that the following-described lands in Wisconsin be, and they are hereby, included in and made a part of the Nicolet National Forest, subject to existing valid claims:

FOURTH PRINCIPAL MERIDIAN

T. 36 N., R. 8 E., sec. 2, lots 13, 14, and 15, aggregating 89 acres.

The reservation made by this order supersedes as to the above-described lands the temporary withdrawal for classification and other purposes made by Executive Order No. 6964 of February 5, 1935.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
May 5, 1936.

[No. 7359]

[Filed, May 6, 1936; 12:50 p. m.]

EXECUTIVE ORDER

**PARTIAL REVOCATION OF EXECUTIVE ORDER NO. 6076 OF MARCH 15,
1933, WITHDRAWING PUBLIC LANDS**

New Mexico

By virtue of and pursuant to the authority vested in me by the act of June 25, 1910, ch. 421, 36 Stat. 847, as amended by the act of August 24, 1912, ch. 369, 37 Stat. 497, Executive

FEDERAL REGISTER

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1934

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EXTRACTS FROM THE FEDERAL REGISTER ACT, APPROVED JULY 26, 1935 (49 STAT. 500)

"Sec. 2. The original and two duplicate originals or certified copies of any document required or authorized to be published under section 5 shall be filed with the Division, * * *. Upon such filing, at least one copy shall be immediately available for public inspection in the office of the Director of the Division. * * *"

"Sec. 5. (a) There shall be published in the Federal Register * * * (2) such documents or classes of documents as the President shall determine from time to time have general applicability and legal effect"; * * *"

"Sec. 7. No document required under section 5 (a) to be published in the Federal Register shall be valid as against any person who has not had actual knowledge thereof until the duplicate originals or certified copies of the document shall have been filed with the Division and a copy made available for public inspection as provided in section 2; * * *"

¹ See Regulations prescribed by the Administrative Committee of the Federal Register, and approved by the President on March 11, 1936; copies of the regulations are obtainable by Federal agencies upon request to the Division of the Federal Register, The National Archives.

Order No. 6076 of March 15, 1933, withdrawing, together with other lands, public lands in T. 1 S., R. 16 W., and T. 9 S., R. 9 W. of the New Mexico principal meridian, New Mexico, pending a resurvey, is hereby revoked as to said townships.

This order shall become effective upon the date of the official filing of the plats of resurvey of said townships.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,

May 5, 1936.

[No. 73601]

[Filed, May 6, 1936; 12:50 p. m.]

EXECUTIVE ORDER

AMENDMENT OF EXECUTIVE ORDER NO. 4929 OF JULY 7, 1928, WITHDRAWING CERTAIN CARSON NATIONAL FOREST LANDS WITHIN THE RIO PUEBLO DE TAOS WATERSHED FROM ENTRY OF OTHER DISPOSITION

New Mexico

By virtue of and pursuant to the authority vested in me by the act of March 27, 1928, 45 Stat. 372, Executive Order No. 4929 of July 7, 1928, withdrawing certain lands of the Carson National Forest within the watershed of the Rio Pueblo de Taos, New Mexico, from entry or other disposition, is hereby amended to embrace the following-described area, containing approximately 37,000 acres:

The tract of unsurveyed land lying within the hereinafter described boundaries in Ts. 25, 26 and 27 N., R. 14 E., and Ts. 26 and 27 N., R. 15 E., N. M. P. M., within the Carson National Forest; beginning at the northeast corner of the Pueblo de Taos Grant, thence northeasterly along the divide between Rio Pueblo de Taos and Rio Lucero and easterly along the divide between Rio Pueblo de Taos and Red River to the west boundary of the Maxwell Grant; thence southerly along the west boundary of the Maxwell Grant to the north boundary of T. 25 N., R. 15 E.; thence west on the north boundary of T. 25 N., R. 15 E., to the northwest corner thereof; thence south on the west boundary of T. 25 N., R. 15 E., to the divide between Rio Pueblo de Taos and Rio Fernandez de Taos; thence westerly along said divide to the east boundary of the Pueblo de Taos Grant; thence north to the point of beginning; containing approximately 37,000 acres more or less.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,

May 5, 1936.

[No. 73611]

[Filed, May 6, 1936; 12:51 p. m.]

EXECUTIVE ORDER

PARTIAL REVOCATION OF EXECUTIVE ORDER NOS. 5323 AND 6473 OF APRIL 10, 1930, AND DECEMBER 4, 1933, RESPECTIVELY, WITHDRAWING PUBLIC LANDS

Wyoming

By virtue of and pursuant to the authority vested in me by the act of June 25, 1910, ch. 421, 36 Stat. 847, as amended by the act of August 24, 1912, ch. 369, 37 Stat. 497, Executive Orders Nos. 5323 and 6473 of April 10, 1930, and December 4, 1933, respectively, withdrawing, together with other lands, public lands in Tps. 13 and 14 N., Rs. 98, 99, and 100 W. of the sixth principal meridian, Wyoming, respectively, pending a resurvey, are hereby revoked as to said townships.

This order shall become effective upon the date of the official filing of the plate of resurvey of said townships.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,

May 5, 1936.

[No. 73621]

[Filed, May 6, 1936; 12:51 p. m.]

DEPARTMENT OF AGRICULTURE.

Bureau of Agricultural Economics.

AMENDMENT TO THE REGULATIONS FOR WAREHOUSEMEN STORING CHERRIES IN SULPHUR DIOXIDE BRINE UNDER THE UNITED STATES WAREHOUSE ACT

By virtue of the authority vested in the Secretary of Agriculture by the United States Warehouse Act, approved August 11, 1916 (39 U. S. Stat. L., p. 486) as amended, I, W. R. Gregg, Acting Secretary of Agriculture, do make, prescribe, publish, and give public notice of the following amendments of the Regulations of the Secretary of Agriculture for warehousemen storing cherries in sulphur dioxide brine promulgated May 3, 1932, under said Act, said amendments to become effective immediately:

Amend Regulation 2, Section 3, to read as follows:

Any warehouseman conducting a warehouse licensed or for which application for license has been made shall have and maintain above all exemptions and liabilities net assets liable for the payment of any indebtedness arising from the conduct of the warehouse, to the extent of at least one cent per pound of the maximum number of pounds that the warehouse will accommodate when stored in the manner customary to the warehouse as determined by the chief of the bureau, except that the amount of such assets shall not be less than \$5,000, and need not be more than \$100,000.

If such warehouseman has applied for licenses to conduct two or more warehouses in the same State, the assets applicable to all of which shall be subject to the liabilities of each, such warehouses shall be deemed to be one warehouse for the purpose of the assets required under this section. For the purposes of this section only, paid-in capital stock, as such, shall not be considered a liability.

A deficiency in required net assets may be supplied by an increase in the amount of the warehouseman's bond in accordance with regulation 3, section 2, paragraph 2, but in no event may a warehouseman be licensed who has not at least \$5,000 net assets.

Amend Regulation 3, Section 2, Paragraph 1, to read as follows:

Exclusive of any amount which may be added in accordance with paragraphs 2 and 3 of this section, the amount of such bond shall be at the rate of one cent per pound of cherries in brine of the maximum number of pounds that the warehouse will accommodate when stored in the manner customary to the warehouse for which such bond is required, as determined by the chief of the bureau, but not less than \$5,000 nor more than \$50,000. If such warehouseman has applied for licenses to conduct two or more warehouses in the same State, the assets applicable to all of which shall be subject to the liabilities of each, and shall desire to give a single bond meeting the requirements of the act and these regulations for said warehouses, such warehouses shall be deemed to be one warehouse for the purposes of the bond required under this regulation.

In testimony whereof I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the city of Washington this 5th day of May, 1936.

[SEAL]

W. R. GREGG,
Acting Secretary of Agriculture.

[Filed, May 6, 1936; 12:44 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 5th day of May 1936.

Commissioners: James M. Landis, Chairman; George C. Mathews, Robert E. Healy, J. D. Ross, William O. Douglas.

IN THE MATTER OF WILLIAM W. VENNER, 1200 PRUDENTIAL BUILDING, BUFFALO, NEW YORK

ORDER SUSPENDING REGISTRATION PURSUANT TO RULE MA5

The registration of William W. Venner as a broker or dealer on over-the-counter markets having come on for hearing before the Commission upon the question of revocation or suspension pursuant to Rule MA5; and the Commission having entered its findings of fact in the matter, and being of the opinion that it is necessary and appropriate

in the public interest and for the protection of investors to suspend the said registration;

It is ordered, pursuant to Rule MA5 (a) (2) (iv) that the registration of William W. Venner as broker or dealer transacting business on over-the-counter markets, be and the same is hereby suspended, pending the determination by the Commission as to whether or not such registration shall be revoked.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[Filed, May 6, 1936; 12:31 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 2nd day of May A. D. 1936.

Commissioners: James M. Landis, Chairman; George C. Mathews, Robert E. Healy, J. D. Ross, William O. Douglas.

File No. 31-221

IN THE MATTER OF THE APPLICATION OF EASTERN SHORE PUBLIC SERVICE COMPANY OF MARYLAND, EASTERN SHORE PUBLIC SERVICE COMPANY OF VIRGINIA, THE CONSUMERS PUBLIC SERVICE COMPANY, THE MARYLAND LIGHT AND POWER COMPANY, THE DELMARVA POWER COMPANY

ORDER AUTHORIZING HEARING AND DESIGNATING OFFICER TO CONDUCT PROCEEDINGS

An application having been duly filed with this Commission, by Eastern Shore Public Service Company of Maryland, Eastern Shore Public Service Company of Virginia, The Consumers Public Service Company, The Maryland Light and Power Company and The Delmarva Power Company pursuant to Section 3 of the Public Utility Holding Company Act of 1935.

It is ordered, that the matter be set down for hearing on the 27th day of May 1936, at 10:00 o'clock in the forenoon of that day, at Room 1102, Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C.; and

It is further ordered, that Charles S. Moore, an officer of the Commission, be and he hereby is designated to preside at such hearing, and authorized to adjourn said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that any interested state, state commission, state securities commission, municipality, or other political subdivision of a state, or any representative of interested consumers or security holders, or any other person desiring to be admitted as a party in this proceeding or to offer evidence in this matter, shall give notice of such intention to the Commission, such notice to be received by the Commission not later than the 22nd day of May, 1936.

Upon the completion of the taking of testimony in this matter, the officer conducting said hearing is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[Filed, May 6, 1936; 12:31 p. m.]

VETERANS' ADMINISTRATION.

REVISION OF REGULATIONS

PAYMENT OF PENSION OR COMPENSATION TO A CHILD WHEN IT REACHES SIXTEEN OR EIGHTEEN YEARS OF AGE

2596. (A) Death pension under the pension laws in effect prior to March 20, 1933, which were reenacted by Public No. 269, 74th Congress (Act of August 13, 1935), and death pen-

sion for service rendered prior to April 21, 1898, may be paid only until a child attains the age of 16 years, except that death pension may be continued to or for a child beyond the age of 16 years provided the child was insane, idiotic, or otherwise physically or mentally helpless at the date of attaining the age of 16 years and such condition exists at the date of filing claim. The requirement that a child be "insane, idiotic, or otherwise permanently helpless," or "insane, idiotic, or otherwise mentally or physically helpless," as a prerequisite to the continuance of pension after the child attains the age of 16 years, will be considered as having been met when the evidence shows that such child is "permanently incapable of self-support by reason of physical or mental defect." (May 6, 1936.)

DETERMINATION OF CLAIMS FOR BURIAL, FUNERAL, AND/OR TRANSPORTATION EXPENSES PREDICATED ON THE LACK OF ASSETS

2698. (C) In determining claims for burial, funeral, and/or transportation expenses predicated on the lack of assets the following items will not be considered as assets: (1) Accrued amounts of pension, compensation, disability allowance, emergency officers' retirement pay, and insurance; (2) Any amount payable under the World War Adjusted Compensation Act, as amended, or under the Adjusted Compensation Payment Act, 1936; (3) Civil Service retirement deductions payable to a designated beneficiary; (4) Any and all claims of life insurance on the life of the deceased where payable to a designated beneficiary; (5) Industrial insurance paid or payable to a designated beneficiary or under the facility of payment clause to any person solely by reason of relationship; (6) All retirement pay due officers and enlisted men from the military branch of service in which duty was performed; (7) Fraternal, accidental, accident and health, and all other forms of insurance, paid or payable to a designated beneficiary; (8) All death benefits or allowances payable by reason of membership in any society, association, lodge, union, or other beneficial organization, where such benefits are paid or payable to a designated beneficiary. (V. R. No. 9 Series) (May 6, 1936).

LIMITATION OF WARDS TO INDIVIDUAL GUARDIANS

5262. Where an individual is acting as guardian of the estate, or as guardian of the person and estate of the ward, except where such individual is acting as guardian for minors of the same family, the policy of the Veterans' Administration is to limit the number of beneficiaries on whose account payment shall be made to not more than five, and the cooperation of the courts will be sought to that end.

(A) Where an individual is acting as guardian of the estate, or of the person and estate of five wards, except minors of the same family, the chief attorney will not certify his appointment in any additional case.

(B) In those instances in which an individual has heretofore been recognized by the Veterans' Administration as guardian of the estate, or as guardian of the person and estate of more than five beneficiaries, except for minors of the same family, the chief attorney will take no further action if the administration of the estates or of the persons and

estates is satisfactory in every respect. If conditions are not satisfactory, the chief attorney will notify the guardian accordingly, will advise him of the provisions of section 21 (1), World War Veterans' Act, as amended by Public, No. 262, 74th Congress, with respect to the Administrator's discretionary authority to refuse payments, and will request the guardian to reduce the number of guardianships to not to exceed five or to remove the unsatisfactory conditions. The chief attorney will then report the facts and results, if any obtained, to the solicitor, together with a recommendation as to what further action should be taken.

(C) If the appointment of the guardian is illegal in one or more cases, as in those states having a Statute limiting the number of wards, the guardian will be removed in such cases.

(D) The policy stated herein will not be applied to public officials who, by reason of their office, are appointed as guardians in accordance with the state laws when such appointments are as to the office and not as to the individual incumbent of the position, such as clerks of courts and other similar officials, provided that separate guardianship bonds are filed in the case of each beneficiary in compliance with paragraph 5317. (May 6, 1936.)

BONDS AND SURETIES

5317. (B) In any case where it is impossible for the fiduciary to obtain a corporate surety bond, or where the amount of the estate or of benefits payable is so small as not to justify the expense of a corporate surety bond (as in cases in which the estate does not exceed \$1,500.00 and in which payments are not continuing, or would all be used as received for the support of the ward), the chief attorneys are authorized to accept bonds with at least two personal sureties upon receipt of definite evidence that each such surety owns property, over and above all liens and incumbrances, at least equal to the penal sum of the bond and qualifies in accordance with the requirements of the state law in which the guardianship is pending. In such instances, and those wherein the court declines to require a corporate surety bond, the fiduciary will be required to furnish with each accounting definite evidence as to the financial status of the personal sureties and, where any question arises as to the ability of such personal sureties to meet any probable liability, the chief attorneys will investigate their responsibility and will promptly authorize suspension of payment as provided in paragraph 5363 (A), until satisfied that the personal sureties are responsible, as provided herein. If such an investigation discloses that the personal sureties do not meet the requirements stated herein, corporate surety bonds will be secured if possible. Additional or increased bonds will be required at each accounting period commensurate with the value of the estate and the chief attorneys will be responsible for seeing that action is taken with the court to assure that adequate bond with good surety or sureties is in effect. (May 6, 1936.)

FRANK T. HINES,
Administrator of Veterans Affairs.

[Filed, May 6, 1936; 11:23 a. m.]